

REMARKS

Claims 1-44 and 72-81 are pending in the application.

Claims 1-44 and 72-81 stand rejected.

Rejection of Claims under 35 U.S.C. §103

Claims 1-8, 10, 18-20, 22-29, 31, 33, 39-41, 43, 44, 72, 74, 76, and 78-80 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Sun et al., U.S. Pat. No. 6,501,740 (hereinafter referred to as “Sun”) in view of Armstrong et al., U.S. Pat. No. 6,807,423 (hereinafter referred to as “Armstrong”).

As noted in the previous response (mailed September 19, 2005), with respect to claim 1, the cited art fails to anticipate, teach, or suggest “presenting an option to specify a quorum associated with a meet-me conference call, in response to user input to an application program co-resident with a terminal; and establishing a media transport channel after detecting that the quorum is established, in response to a user selecting the option, wherein the establishing the media transport channel joins the user to the meet-me conference call.”

As noted by the Examiner, “Sun does not specifically teach of presenting an option to specify a quorum with the conference call and establishing a media transport channel after detecting that the quorum is established.” Office Action, p. 3. Armstrong is relied upon to teach these features of the claims.

The cited portions of Armstrong state:

“The conference call service 20 may also form the watched parties 13 into an aggregate as described in more detail below. Then, once notifications of availability are given for a certain number of group members (e.g. a quorum, all members, etc.), the conference call is attempted.” Armstrong, col. 7, lines 56-60.

“An aggregate 40, 41 is able to interact with the PCP 10 in the same way as either a watched party 13 or a watching party 12 as described above except that a ‘quorum’ condition may be used. Those skilled in the art will recognize that an aggregate could allow each member, or a group of members to act for the entire aggregate and the group of members need not be a quorum. For example, when a watched party 13 is an aggregate 40, a determination much be made as to when the PCP 10 should indicate to watching parties 12 that there has been a change of state in the aggregate 40. It could be indicated, e.g., when a predetermined percentage of the members of the aggregate 40 have changed state, or when a

specific number of the members of the aggregate 40 have changed state, or alternatively it might be indicated only when all members have changed state. Similarly, when a watching party 12 is an aggregate 41, a 'quorum' condition may be used to determine factors relating to requests made by the watching party 12. For example, a determination of when a request should be made and what the request should be. A watched party 13 or a watching party 12 may be a member of more than one aggregate." Armstrong, col. 9, lines 42-62.

The cited portions of Armstrong neither teach nor suggest "presenting an option to specify a quorum associated with a meet-me conference call, in response to user input to an application program co-resident with a terminal," emphasis added. In column 7, Armstrong explains how a conference call service can act as a watching party in Armstrong's system for maintaining presence information. The conference call service can subscribe with the system in order to be notified when one or more watched parties become available. Armstrong does not teach anything about how the conference call service operates, except with respect to the conference call service's interactions with the system that provides the presence information. Given that Armstrong's focus is on the system that provides the presence information, Armstrong would not be expected to teach how a conference call service works, except with respect to its interactions with the system that provides presence information.

Thus, the cited portions of Armstrong are completely silent with respect to how (or even if) such a quorum could be specified. Armstrong does not suggest how, when, or even if a user should be presented with an option to specify a quorum, nor does Armstrong suggest the conditions under which such an option should be presented. More particularly, the cited portions of Armstrong clearly do not provide any teachings or suggestions to "present an option to specify a quorum... in response to user input to an application program co-resident with a terminal." As noted above, such teachings, which are specific to the conference call service and do not involve the conference call service's interaction with the system that provides presence information, would not be expected in Armstrong, since Armstrong is primarily concerned with the system that provides the presence information. Sun, which provides no teachings at all with respect to quorums, also fails to teach or suggest this feature of claim 1, both alone and in combination with Armstrong. Accordingly, the combination of Armstrong and Sun fails to teach or suggest each and every element of claim 1.

Furthermore, the cited portions of Armstrong do not teach or suggest "establishing a media transport channel after detecting that the quorum is established, in response to a user

selecting the option, wherein the establishing the media transport channel joins the user to the meet-me conference call” (emphasis added). At best, Armstrong teaches: “once notifications of availability are given for a certain number of group members (e.g. a quorum, all members, etc.), the conference call is attempted” (emphasis added). However, this statement provides no details regarding whether a media transport channel is actually established, nor does this statement suggest any relationship between group members participating in the conference call and a user who selected an option to specify a quorum (as noted above, the cited portions of Armstrong are completely silent with regard to how, when, or even if a user specifies a conference call). As noted above, Armstrong is not concerned with a conference call service, except in its role as a watching party within the system for maintaining presence information, and thus Armstrong does not teach, nor would it be expected to teach, details about how and when a conference call system establishes a media transport channel, nor about how and when a conference call system receives input from a particular user. Accordingly, the cited portions of Armstrong clearly do not teach or suggest (nor would they be expected to teach or suggest) establishing a media transport channel that joins a particular user to a meet-me conference call, in response to that particular user having selected an option to specify a quorum associated with the meet-me conference call. Sun, which does not mention quorums at all, also fails to teach or suggest this feature, both alone and in combination with Armstrong. Accordingly, claim 1 is further patentable over the cited art for this reason.

Nevertheless, the Examiner contends that the claim 1 is obvious in light of the cited art, stating: “Sun states of the desire to hold a meeting of principals in a business negotiation in col., lines 21-31 as [well] as a meeting between management and equity analysts. The Examiner believes this suggestion would enable one of ordinary skill in the art to add the feature of providing an option to specify who or how many participants are required in order for the meeting to take place since the intended meeting cannot go as planned if at least one person representing each party is not at the meeting.” Office Action, page 14.

The portions of Sun cited by the Examiner recite:

“In another embodiment, the establishing user can specify the mode in which the teleconference is available to a specific participant, list of participants, or all participants. For example, the mode can be specified to be full duplex (full participation, speaking and listening) or half duplex (listen only). For example, a general broadcast to all members of a company may be specified as listen-only.

An important meeting of principals in a business negotiation may be specified full duplex to the principals, and listen-only to certain others. An example of such a teleconference is the periodic teleconference between the management of a company and equity analysts at brokerage houses. Such a teleconference can be specified full duplex between these parties, and listen only to any ordinary stockholder of the company. This feature of the present invention allows the establishing user of a teleconference to control participation in a way that efficiently facilitates the decision making process and dissemination of information, preventing a teleconference from becoming gridlocked with too many participants who can speak.” Sun, col. 7, lines 14-34.

These portions of Sun are concerned with controlling the mode (full duplex or half duplex) in which the conference is available to different participants. The cited portions of Sun clearly do not say that a meeting cannot take place if a member of a particular group is not present, nor do the cited portions of Sun suggest that such it would be desirable to specify required participants for a given meeting. Instead, the cited portions of Sun simply describe a feature for controlling whether a participant is enrolled in a full duplex mode or half duplex mode.

The cited portions of Sun also do not state or suggest that a meeting cannot go as planned if at least one person representing each party is not at the meeting. While the cited art does identify particular types of participants, merely identifying types of participants neither teaches nor suggests that the intended meeting cannot go as planned if at least one person representing each party is not at the meeting. The cited art also clearly does not suggest that it would be desirable to specify “who or how many participants are required,” as alleged by the Examiner. Applicants also note that conference calls, such as described in col. 7 of Sun, can begin with fewer than all of the participants. In such a situation, participants that join the call early can simply wait on the line for additional participants to join. Participants could also select to leave the call and attempt to rejoin at a later time. Thus, there is clearly no inherent need in Sun’s system for a feature that provides an option to specify who or how many participants are required in order for a meeting to take place.

Additionally, as noted in the previous response mailed September 19, 2005, there is no suggestion to combine Sun and Armstrong. The Office Action states that: “it would have been obvious... to modify the meet-me conferencing method of Sun to include specifying a quorum as taught by Armstrong so that the conference scheduler can make sure that at least the minimum number of conferees are going to be present in the conference call.” Office Action, p. 3.

However, this suggestion is not present in the references. In particular, the cited portions of Sun do not suggest that it would be desirable to specify a quorum or to make sure that at least the minimum number of conferees are going to be present in a call. Similarly, the cited portions of Armstrong do not suggest that it would be useful or desirable to specify a quorum (as noted above, Armstrong is silent with respect to specifying a quorum), nor does Armstrong suggest that it would be desirable to make sure that at least the minimum number of conferees are present in a conference call that is managed by the system taught in Sun. "To support the conclusion that the claimed combination is directed to obvious subject matter, either the references must expressly or impliedly suggest the claimed combination or the examiner must present a convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious in light of the teachings of the references... [S]implicity and hindsight are not the proper criteria for resolving the issue of obviousness." *Ex Parte Clapp*, 227 U.S.P.Q. 972, 973 (Bd. Pat. App. & Int'f 1985).

In the Response to Arguments section of the Office Action, the Examiner states:

"[S]un states of the desire to hold a meeting of principals in a business negotiation in col. 7, lines 21-31 as [well] as a meeting between management and equity analysts. The Examiner believes that this suggestion would enable one of ordinary skill in the art to add the feature of providing an option to specify who or how many participants are required in order for the meeting to take place since the intended meeting cannot go as planned if at least one person representing each party is not at the meeting." Office Action, p. 15.

As noted above, however, the cited section of Sun clearly does not teach or suggest that a meeting cannot go as planned if at least one person representing each party is not at the meeting. Thus, the cited portion of Sun simply does not suggest the combination.

Claims 2-8, 10, and 18-20 are dependent upon claim 1, and are thus patentable over the cited art for the foregoing reasons. Claims 22-29, 31, 33, 39-41, 43, and 44 are patentable over the cited art for similar reasons.

With respect to claim 72, the cited art fails to anticipate, teach or suggest "sending a token to a conference manager application, in response to a user selecting the option [to specify a quorum associated with a meet-me conference call], wherein the token comprises information

indicating that the user will wait until the quorum is established before joining the meet-me conference call.”

As noted in the previous response, the cited portions of Armstrong merely teach that “once notifications of availability are given for a certain number of group members (e.g. a quorum, all members, etc.), the conference call is attempted.” Armstrong, col. 7, lines 58-60. Thus, in Armstrong’s system, the availability of a certain number of group members can be determined, and a conference call can be attempted based on the group members’ availability. While Armstrong teaches that notifications of availability can be provided for various group members, Armstrong is silent with respect to indications that a user will wait until a quorum is established before joining a meet-me conference call. Notifications of availability are quite clearly not the same as indications that a user will wait until a quorum is established. Thus, the cited portions of Armstrong clearly do not teach a token that indicates that a user will wait until a quorum is established before joining a meet-me conference call. Sun, both alone and in combination with Armstrong, also fails to teach or suggest such a token.

Furthermore, such a suggestion would not be expected in either reference. Neither Armstrong nor Sun teach or suggest that a user might select an option to specify a quorum. Both references also fail to teach or suggest that a user might desire to wait to join a conference call until a quorum is established. Accordingly, neither reference would be expected to teach the use of the token described in claim 72. For at least the foregoing reasons, the cited art fails to teach or suggest each and every element of claim 72. Claims 74, 76, and 78-80 depend from claim 72 and are patentable over the cited art for at least the foregoing reasons.

Claims 9, 11, 13-17, 30, 32, 34-38, 75 and 77 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sun in view of Armstrong and further in view of Eaton et al. (U.S. Pat. No. 5,483,588) (hereinafter referred to as “Eaton”). Claims 21, 42, 73 and 81 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sun in view of Armstrong and further in view of Eaton and further in view of Jonsson (U.S. Pat. No. 6,272,214) (hereinafter referred to as “Jonsson”). Claims 9, 11, 13-17, 21, 30, 32, 34-38, and 42 are patentable over the cited art for reasons similar to those provided above with respect to claim 1. Claims 75 and 77 are patentable over the cited art for reasons similar to those provided above with respect to claim 72.

CONCLUSION

In view of the amendments and remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephone interview, the Examiner is invited to telephone the undersigned at 512-439-5087.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 16, 2006.

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Respectfully submitted,

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